

ZB# 79-9

John Kaiser &  
Nadja Pajer

18-2-2

Preliminary Meeting -

April 23, 1979

side yard - garage

Public Hearing -

~~May 14, 1979~~ -

8 p.m.

June 11, 1979.

Fee paid \$25.00  
Paid

Notice sent to  
Evening News on  
5/21/79. - Pd.

Decision resumed  
to June 25th  
Pending inspection  
of premises by 2nd  
members.

Schedule for  
June 25th decision

Denial decision  
needed.  
File -

# GENERAL RECEIPT

3992

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

RECEIVED OF Kaiser Binding Apr. 25 19 79  
Twenty-five and 00/100 \$ 25.00  
FOR 3 B A Variance fee # 79-9 DOLLARS

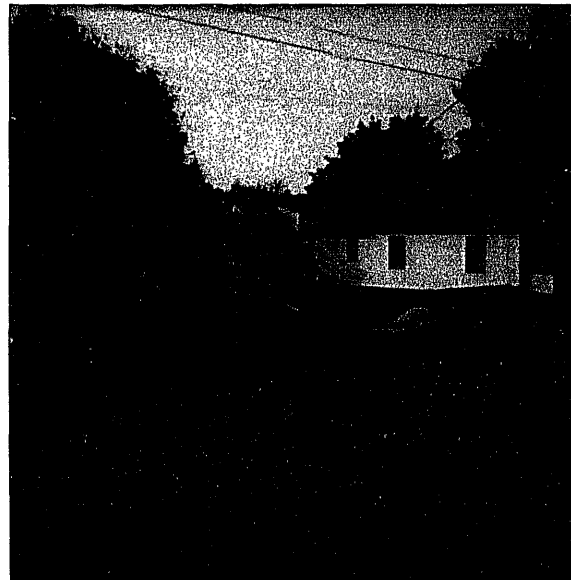
DISTRIBUTION:

FUND	CODE	AMOUNT
25.00		
ck		

BY Charlotte Marcantonio

Deputy  
TITLE

Williamson Law Book Co., Rochester, N. Y. 14609



JUL 12 1979

STANTON AND STANTON

ATTORNEYS AT LAW

33 QUASSAICK AVE. (RT 9W)

NEW WINDSOR, NEW YORK 12550

WILLIAM F. STANTON  
WILLIAM F. STANTON, JR.  
JOHN G. STANTON

MAILING ADDRESS:  
NEW WINDSOR  
POST OFFICE BOX 4301  
\_\_\_\_\_  
(914) 562-1221

July 10, 1979

Zoning Board of Appeals  
555 Union Avenue  
New Windsor, New York 12550

ATTENTION: Mr. Mark Stortecky, Chairman

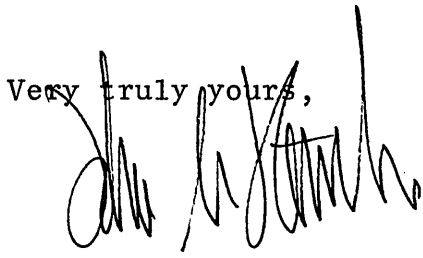
RE: Application of Kaiser  
and Pajer

Gentlemen:

I have been informed that the Zoning Board has  
denied the application of my clients for an area variance.

On behalf of my clients, I make a formal demand  
that the decision and minutes of the June 11, 1979 meeting be  
promptly filed so that my clients can pursue their judicial  
remedies.

Very truly yours,



JOHN G. STANTON

JGS/nr

CC: John Kaiser and Nadia Pajer  
Philip A. Crotty, Jr., Town Attorney



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK  
(914) 565-8550

July 13, 1979

JOHN G. STANTON, ESQ.  
STANTON & STANTON  
33 Quassaick Avenue  
New Windsor, N. Y. 12550

RE: MINUTES OF PUBLIC HEARING - KAISER/PAJER

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Transcript of minutes of public hearing  
before Zoning Board of Appeals in the  
matter of the Application of KAISER/PAJER  
held on June 11, 1979.

14 pages at \$1.75 per page

\$ 24.50

Copy of minutes of ZBA meeting of  
June 11, 1979 and June 25, 1979

No Charge

PLEASE SEND REMITTANCE TO:

PATRICIA DELIO, Secretary  
NEW WINDSOR ZONING BOARD OF APPEALS  
555 Union Avenue  
New Windsor, N. Y. 12550

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

APPLICATION NO. 79-9

-----x  
In the Matter of the Application for Variance

of

JOHN KAISER and NADJA PAJER

Before New Windsor Zoning Board of Appeals.  
-----x

TRANSCRIPT  
OF  
PUBLIC HEARING

June 11, 1979  
Town Hall - Town of New Windsor  
Orange County  
New York  
8:00 P. M.

B E F O R E :

MARK STORTECKY, Chairman  
VINCENT BIVONA  
JACK BABCOCK  
JAMES BOTHWELL  
RICHARD FENWICK

ANDREW S. KRIEGER, ESQ. - Attorney for the ZBA

A P P E A R A N C E S :

JOHN G. STANTON, ESQ.  
Attorney for Applicants

E X H I B I T S

D E S C R I P T I O N

P A G E

Affidavit of Publication	Available upon request
ASSESSOR'S CERTIFIED LIST	"
CERTIFIED MAIL - RETURN RECEIPTS	"
ORDER TO REMEDY VIOLATION	"
APPLICATION FOR VARIANCE	"
NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION	"
SURVEY	"
PHOTOGRAPHS	"
APPLICATION FOR BUILDING PERMIT	"
SPECTATOR'S LIST	"

CHAIRMAN MARK STORTECKY called the public hearing to order in the matter of the Application for an 11 ft. sideyard variance of JOHN KAISER and NADJA PAJER.

JOHN G. STANTON, ESQ., attorney representing Mr. Kaiser and Ms. Pajer, presented as follows:

MR. STANTON: I would like to make formal application that Mr. Babcock (member of the Board) disqualify himself since he is directly related to the adjacent neighbor, Mrs. LeMunyan.

MR. KRIEGER: Jack, (referring to Mr. Babcock) are you involved in this matter in any way? Do you see any reason why you can't be fair and impartial?

MR. BABCOCK: I know I could be fair. I could voice my opinion.

MR. KRIEGER: Based on your very candid response, I think as a matter of law, you could probably be disqualified from sitting if we were in a jury situation. Unfortunately, Mr. Stanton's request is reasonable.

MR. BABCOCK: This is up to you. You are our attorney and I will do whatever you think is



right. I am disqualifying myself, but not just on hearsay.

MR. KRIEGER: My advice to you, Jack, is to disqualify yourself.

MR. BABCOCK: If you feel I should, I will.

MR. KRIEGER: This would be my advice.

MR. BABCOCK: Nothing prevents me from sitting in the audience and objecting as a taxpayer of the Town of New Windsor.

MR. STANTON: I never heard of such a procedure where a member of the Board disqualifies himself and then seats himself in the audience. Never encountered such a procedure.

CONTINUING WITH THE HEARING

MR. STANTON: Mr. Kaiser and Ms. Pajer are applying for reduced side yard. I believe you have copies of the survey which indicates where they propose to locate the garage. It is a small lot in one of the earliest subdivisions in the Town. There is 75 ft. frontage. It is the only spot where they could build the garage on the property because of the topography and shortness of the lot. They propose a two-car garage. They presently

park their cars on Walnut Street which is a rather narrow street in the Town. This would get the vehicles off the street and improve the traffic flow and safety. Mr. and Mrs. Grieco have indicated that they have no objection to the garage and their property abuts on this side. The existing dwelling is only 7 1/2 ft. from the property line. What they are seeking is an area variance to locate the garage on that spot. That is basically their situation.

I will give you some background concerning this particular parcel. Mr. Kaiser and Ms. Pajer have a business in New Windsor. Kaiser Binding. They employ 30 people and have located their business within the last year or two. They both are good citizens and provide something for the community.

That is basically it.

MR. BOTHWELL: Why does the garage have to be attached to the house? Supposedly you wouldn't want to block the windows.

MR. STANTON: It is going to be attached to the house.

MR. BOTHWELL: With the area you have their, there is no possible way for you to come up 4 or 5 courses of block so you could put your garage on the proper footage?

MR. KAISER: Not that I know of.

MR. FENWICK: Are there any photographs of the property?

MR. STANTON: Just a partial one. If you look at the survey, this would show the line going down the common driveway. That is all we have.

MR. BIVONA: (Studying the survey). 4 to 5 ft. drop.

MR. BOTHWELL: Are you building this garage? Who is building it?

MR. STANTON: De Cesare.

MR. BIVONA: Just 4 or 5 foot drop?

MR. STANTON: I think so.

MR. BIVONA: I don't think this is a reasonable amount of footage. How much of an area does it take in?

MR. KAISER: (From the survey) We are talking about this far (indicating from the survey map).

MR. STORTECKY: What is the dimension of this garage?

MR. KAISER: You should have a drawing.

MR. FENWICK: It's 24 by 21.

MR. STORTECKY: 24 ft. deep? 21 ft. wide?

MR. KAISER: Right

MR. STANTON: Is there an objection to this being located directly next to the house?

MR. BIVONA: Why does it have to be attached to the sideyard?

MR. STORTECKY: It can be attached. Where is that drawing?

MR. FENWICK: Are lots 69 and 70 yours?

MR. STANTON: Lot 69. These are old subdivision lots. Subdivision goes back to 1941.

MR. STORTECKY; The house is 7 ft. 6 inches from the sideyard now. It has to be 15 ft.

MR. STANTON: Yes, 15 ft. We have a non-conforming lot here. It does not conform to zoning.

(A discussion followed concerning the survey map presented to the Board and most of the comments were directed to the survey map.)

MR. BOTHWELL: You wouldn't have to fill in the whole area. Just where this is for the garage.

MS. PAJER: We don't want to cut down the trees.

MR. STANTON: One concern was to locate it as far as possible from the LeMunyan property.

It more than meets the combined sideyard requirements. The Grieco's have not expressed any objections. They are the abutting property owner. This would be going toward the back of the property. This is Kaiser's driveway (pointing to the photograph). As you can see, a lot of trees would have to be cut down there.

MR. STORTECKY: Any more questions from this Board?

MR. KRIEGER: May I see the map.

MR. FENWICK: The house is 8 ft. away?

MR. STANTON: 7 1/2.

MR. FENWICK: How close is the house?

MR. STANTON: 4 1/2 ft.

MR. BOTHWELL: Why can't the garage be even with the house?

MR. KAISER: That would put it too far out front and it would obstruct the windows.

MS. PAJER: This is our finished basement and part of the house.

MR. BIVONA: I would like to see this piece of property.

MR. STORTECKY: Is there anyone in the audience who would like to speak on this variance application?

MR. ALBERT LE MUNYAN: Yes. I have three questions I would like to ask. (1) Is this variance for another garage or for the one that is already started?

MR. STORTECKY: This is for the proposed garage.

MR. LE MUNYAN: The one that is already started? And, also, (2) Why at this time are they building a garage when they are into litigation for rights of the driveway? And, (3) What is the purpose of the garage and will it increase traffic on the driveway?

MR. KRIEGER: Their purpose here is a very limited one. We don't fit as a Justice Court or Supreme Court of the State of New York. I would just like to remind the Board that there is a limited extent that we can get into concerning these questions of ownerships of driveways. I don't think this is a proper inquiry. As far as the garage having been started already, I think the Board can ask questions. We can't sit as a jury. If the Board wants to inquire, it is proper.

MR. STANTON: These people are new in this community. They lived in New York and moved within the last year or so. There was no intention to disregard the law or do anything else. May I remind

the Board that these people brought a good business into the Town and they employ 30 people. They are not looking to disregard the law.

MR. KRIEGER: May I remind the Board, we don't have the power to judge in the past whether ignorance constitutes the defense. Whether Mr. Stanton speaks the truth or not. This is a matter for the Justice Court.

MR. STANTON: This has not been done. My understanding is that you felt that there was something pending before the Justice Court. I want to clarify this.

MR. BABCOCK: The applicants came in to be set up for preliminary hearing. The footings had already been dug. When they were denied, they came in to get a variance to build this garage. After we gave them a date for a preliminary meeting, Mr. Collett went to the premises and put a Stop Order on the garage where they have had masons there installing the necessary blocks. I spoke to Mr. Petro who had gone to the premises and made an inspection, also. He allowed them to bring it

to ground level. He had no right to do that. Mr. Stanton said that they didn't know about the rules and regulations. They made application before this Board to store chemicals not too long ago. I felt that they were well aware of the rules and regulations and totally disregarded the Zoning Laws in the Town of New Windsor.

MR. STANTON: Mr. Babcock has disqualified himself. He cannot participate. It is highly improper.

MS. PAJER: My name is Nadja Pajer. I am co-owner of the house. In answer to the statement that was just made. Yes, we did start the footings for the garage. We had a very bad leak in our basement in the front of the house. We had to dig all the way to the foundation. When we did so, we already had a backhoe there. We are very ignorant of your rules and regulations. When they dug for that leak, they also dug for the foundation. They poured the concrete. Right after they finished that, the contractor found out because it was so close, we should go for a permit. At that point we stopped. For quite



a long period of time, we have had holes in that area. We have had children going through that portion of the property. I thought somebody might get hurt. We called the contractor to fill in to the ground level so we would not have any trouble. I personally called Mr. Petro. I showed him the holes. He told us to bring it up to ground level so nobody gets hurt. We did this. We have not touched it since.

MR. BIVONA: If you own your own home, that is private property. I see your regard for the children playing in the area. We can't go ahead and do something in the area. I can see your concern. You should have roped off this excavation. This is not an excuse.

MR. KRIEGER: I don't think that whatever has been done in the past with respect to the matter is subject to any further inquiry. If they were doing something which was against the Code of the Town of New Windsor, that is up to the Building Inspector. It is up to him to take any prosecutory steps. We do not fit as a Justice Court. We do not look into past matters and past violations.

It is properly up to the Board to measure these standards to the application with the proviso that if an application were to be granted here today, it would be prohibitive only. In other words, it would from the date of this grant. The Board should look at this point on the same standards required by law.

MR. STORTECKY: The Stop Order was issued because it was in violation.

MR. KRIEGER: Whether or not the Stop Order was issued because of a violation according to the Town Code is not the business of this Board. The actions of the past is not the business of this Board.

MR. FENWICK: Was there another sketch looking at the back of the building?

MR. STANTON: No. All these people are seeking is a simple area variance. No objections by the Grieco's. This will improve the traffic flow and benefit the people who use that road. It is a contribution to the health, safety and welfare of the community. The only property effected is Grieco's.

MR. LE MUNYAN: How about my third question?

What is that garage going to be used for?

MS. PAJER: To park cars. We have three (3) cars and we need parking.

MR. LE MUNYAN: What is preventing them from using this as a storage area?

MR. PAJER: Our house is a place to live in, not for storage. If I needed to store, I would store in the factory.

MR. STORTECKY: This is just a garage for use with the house?

MS. PAJER: Yes. We have a factory for storage.

MR. LE MUNYAN: Was this for three (3) cars?

MS. PAJER: Yes, my car and two (2) others.

MR. STANTON: There will be two (2) in the garage and one (1) in the driveway off the road. This is a narrow street and cars should not be parked on it.

MR. BABCOCK: Is there a garage there already?

MS. PAJER: Yes. None of the cars will fit in it.

MR. BABCOCK: Are you closing this garage off?

MS. PAJER: Yes. We would like to make a work room. It is just an empty room.

MR. FENWICK: The garage is underneath the house now and access is in the driveway.

MS. PAJER: Yes.

MR. FENWICK: Does this go down quite a ways? (Pointing to the map).

MR. KAISER: This is pretty level (pointing to the same area on the survey map.)

MR. FENWICK: How do you get to the garage under the house?

MR. KAISER: Around the house and into the garage.

MR. BOTHWELL: How far do you have to swing to get into the garage?

(A short discussion then ensued between all parties).

After the discussion, motion was made by VINCENT BIVONA, seconded by RICHARD FENWICK to close the hearing in order to give the Board members a chance to visit the site. Decision to be rendered at the June 25, 1979 meeting.

ROLL CALL:	Mr. Bothwell	- Yes
	Mr. Fenwick	- Yes
	Mr. Bivona	- Yes
	Mr. Stortecky	- Yes

MOTION CARRIED 4 ayes - no nays.

Public Hearing closed.

C E R T I F I C A T E

I, PATRICIA DELIO, Secretary of the  
NEW WINDSOR ZONING BOARD OF APPEALS, do  
hereby state that the foregoing is a true  
and accurate transcript of my steno-  
graphic notes of the within public  
hearing, to the best of my ability.

  
PATRICIA DELIO

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X  
In the Matter of the Application of  
JOHN KAISER and NADJA PAJER.  
Application #79-9.

DECISION DENYING  
AREA VARIANCE.

-----X  
WHEREAS, JOHN KAISER and NADJA PAJER of 25 Walnut Street, New Windsor, New York, have made application before the Zoning Board of Appeals for an area variance, and more specifically, a sideyard variance of 11 ft., to permit the construction of a two-car garage attached to the residence on the premises. The residence is located in an area presently zoned R-4 on 25 Walnut Street; and

WHEREAS, a public hearing was held on the 11th day of June, 1979 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicants were represented by John G. Stanton, Esq. of 33 Quassaick Avenue, New Windsor, New York; and

WHEREAS, the applicant was opposed by the adjacent property owners; and

WHEREAS, the public hearing was closed on that date and the decision was reserved pending an inspection of the premises by the Zoning Board of Appeals members; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Evening News, also as required by law.

2. The testimony of the applicants at the public hearing was, in substance, that the proposed location of the garage was the only practical possible location. They testified that for the garage to be brought further in toward the center of the property would result in the blockage of one of the residential windows. They further testified that the garage could not be located farther back in the property because of a depression in the property and the necessity to remove a number of trees and that these practical difficulties require the granting of the requested area variance.

3. The applicants' testimony was not supported with any photographs of probative value, any topographical maps, or any detailed drawings of the proposed garage or the floor plan and window locations of the existing house.

4. Upon visual inspection of the premises, the members of the Board found that it would be possible and feasible to locate the garage farther behind the house in accordance with the requirements of the Zoning Law. In at least one possible location, only two trees, at most, would have to be removed.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter.

1. The evidence as presented by the applicants is insufficient to show that there is sufficient practical difficulty to warrant the granting of a variance.

2. The variance sought is substantial, seeking to reduce the required area for the affected sideyard from 15 ft. to 4 ft., virtually eliminating any sideyard whatsoever.

3. An inspection of the site shows that there are other feasible locations for the garage which will not require the granting of

a variance.

NOW, THEREFORE, IT IS

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor denies the use variance as applied for.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicants.

Dated: July 9, 1979.

S/ Richard Jenwick  
Acting Chairman



8pm. Public Hearing - 6/11/79 - Kaiser/Pager

Name:

Address:

Albert B. LeMunyon

23 Walnut St.

Maurice LeMunyon

"

Ann Spidy

200 MacArthur Ave.

John Robert

12 Blvd Ave.



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

---

Chairman  
Ellsworth E. Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

May 16, 1979

Stanton & Stanton  
33 Quassaick Ave.  
New Windsor, N.Y.

Re: 18-2-2

Dear Mr. Stanton:

According to my records, the attached list of property owners are within the five hundred (500) feet of the above mentioned property.

The charge for this service is \$20.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Paula", followed by a long horizontal flourish.

PAULA KING  
Sole Assessor  
Town of New Windsor

PK/em



1768

## OFFICE OF THE ASSESSOR

## TOWN OF NEW WINDSOR

Chairman  
Ellsworth E. Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

- |   |  |
|---|--|
| ✓ Grieco, Alfred & Ethel<br>27 Walnut St.<br>New Windsor, N.Y.                              | ✓ Rodgers, Agnes<br>8 Locust Ave.<br>New Windsor, N.Y.                     |
| ✓ Robinson, Gordon & Eleanor<br>Mrs. Albert Schaut<br>Box 212<br>Ft. Montgomery, N.Y. 10922 | ✓ Sherman, Amy<br>27 Hudson View Apts.<br>51 LeRoy Place<br>Newburgh, N.Y. |
| ✓ LeMunyan Albert & Marian<br>P.O. Box 49<br>New Windsor, N.Y.                              | ✓ Bento, Joaquin & Carmella<br>12 Locust Ave.<br>New Windsor, N.Y.         |
| ✓ Chernek, Joseph & Anna<br>21 Walnut St.<br>New Windsor, N.Y.                              | ✓ Oliveria, Anthony & Anna<br>16 Locust Ave.<br>New Windsor, N.Y.          |
| ✓ Weinheim, Sidney & Madeline<br>19 Walnut St.<br>New Windsor, N.Y.                         | ✓ Ray, Gordon & Barbara Jean<br>81 Locust Ave.<br>New Windsor, N.Y.        |
| ✓ Hunter, Robert & Lillian<br>17 Walnut St.<br>New Windsor, N.Y.                            | ✓ James, Joseph & Jane<br>22 Locust Ave.<br>New Windsor, N.Y.              |
| ✓ Fescoe, John & Frances<br>15 Walnut St.<br>New Windsor, N.Y.                              | ✓ Early, George & Betty<br>23 Locust Ave.<br>New Windsor, N.Y.             |
| Biasotti, Charles & Alice<br>13 Walnut Ave.<br>New Windsor, N.Y.                            | ✓ Ruscitti, Nicholas & Helen<br>21 Locust Ave.<br>New Windsor, N.Y.        |
| Tomashevski, Felix & Madaline<br>11 Walnut Ave.<br>New Windsor, N.Y.                        | ✓ Tompkins, Mary<br>19 Locust Ave.<br>New Windsor, N.Y.                    |
| ✓ Zgrodek, Alex & Antoinette<br>9 Walnut Ave.<br>New Windsor, N.Y.                          | ✓ Ward, Robert & Carol<br>17 Locust Ave.<br>New Windsor, N.Y.              |
| ✓ Roche, Leonard & Ann<br>5 Walnut Ave.<br>New Windsor, N.Y.                                | Cimorelli, Thomas & Mary Ann<br>15 Locust Ave.<br>New Windsor, N.Y.        |
| ✓ Lucas, Thomas & Sarah<br>6 Locust Ave.<br>New Windsor, N.Y.                               | ✓ Sturtecki, William & Helen<br>13 Locust Ave.<br>New Windsor, N.Y.        |



1763

## OFFICE OF THE ASSESSOR

## TOWN OF NEW WINDSOR

Chairman  
Ellsworth E. Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

✓ Perrone, Frank & Constance  
11 Locust Ave.  
New Windsor, N.Y.

✓ Kirtio, John & Anna  
9 Locust Ave.  
New Windsor, N.Y.

*Duplicate* ✓ Sinopoli, Vincenzo & Caterina  
4717 Chesapeake St. N.W.  
Washington, D.C. 20016

Brower, Roy C.  
14 Hickory Ave.  
New Windsor, N.Y.

✓ Bauer, Brian & Belle  
16 Hickory Ave.  
New Windsor, N.Y.

✓ Roche, Benedect & Rose  
18 Hickory Ave.  
New Windsor, N.Y.

✓ Dayton, Julia  
c/o Ariza, Julia  
P.O. Box 341  
Vails Gate, N.Y. 12584

✓ Davidson, Wilfred & Margaret  
22 Hickory Ave.  
New Windsor, N.Y.

✓ Sinopoli, Vincenzo & Caterina  
c/o Sinopoli  
4717 Chesapeake St. N.W.  
Washington, D.C. 20016

✓ Schebesta, Joseph & Anna  
96 Cedar Ave.  
New Windsor, N.Y.

✓ Guadagno, Leonard & Louise  
6 Walnut Ave.  
New Windsor, N.Y.

✓ Zgrodek, Anthony & Claire  
8 Walnut Ave.  
New Windsor, N.Y.

✓ Hurd, Charles & Elma  
10 Walnut Ave.  
New Windsor, N.Y.

✓ Coleman, William & Jean  
12 Walnut Ave.  
New Windsor, N.Y.

✓ Whalen, George & Estelle  
14 Walnut Ave.  
New Windsor, N.Y.

✓ Brown, Lester & Hildegard  
16 Walnut St.  
New Windsor, N.Y.

✓ Abbruscato, John & Marie  
5 Buttonwood Drive  
New Windsor, N.Y.

✓ New Windsor Veteran Assoc. Inc.  
Walnut St.  
New Windsor, N.Y.

✓ Mid Hudson Neon  
Miller, Arthur  
Lynch, James & Joseph  
32 Walnut St.  
New Windsor, N.Y.

✓ Ruscitti, Joseph & Ida  
P.O. Box 227  
Walden, N.Y. 12586

✓ Starr, Edward & Pauline  
33 Melrose Ave.  
New Windsor, N.Y.

New Windsor Little League Inc.  
P.O. Box 24  
New Windsor, N.Y.

✓ Hilton, Gibson & Miller Inc.  
208 MacArthur Ave.  
New Windsor, N.Y.

✓ Motor Age Warehouse Inc.  
20 Bank St.  
Hackensack, N.J. 07601



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman  
Ellsworth E. Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

53

- ✓ Leidy, Thomas Jr. & Anna  
200 MacArthur Ave.  
New Windsor, N.Y.
- ✓ Steger, Richard & Sharon  
202 MacArthur Ave.  
New Windsor, N.Y.
- ✓ Hoffman, James, E.  
204 MacArthur Ave.  
New Windsor, N.Y.
- ✓ C.H.K.K. Realty Co. Inc.  
c/o Mt. Ellis Paper Co.  
214 MacArthur Ave.  
New Windsor, N.Y.
- ✓ Cel-U-Dex Corp.  
23 MacArthur Ave.  
New Windsor, N.Y.
- ~~John Kaiser & Nadia Pajer  
Walnut Ave.  
New Windsor, N.Y.~~

*G. King*

TOWN OF WEST MIDDLEBORO  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

79-9  
(Number)

4-13-79  
(Date)

I. Applicant information:

- (a) JOHN KAISER + NAJIA PAJER  
(Name, address and phone of Applicant) 561-3632  
25 WALNUT STREET
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) JOHN STANTON  
(Name, address and phone of attorney) 562-1221  
33 QUASSACK AVE., N. WINDHAM
- (d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) R4 25 WALNUT 75 FRONT x 150 DEEP  
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? PI
- (c) Is a pending sale or lease subject to ZBA approval of this application? N/A
- (d) When was property purchased by present owner? JUNE 14 1978
- (e) Has property been subdivided previously? N/A When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? NO When? \_\_\_\_\_
- (g) Has an order-to-revoke violation been issued against the property by \_\_\_\_\_

79-9  
(Number)

4-13-79  
(Date)

I. Applicant information:

- (a) JOHN KAISER + NADJA PAJER  
(Name, address and phone of Applicant) 561-3632  
25 WALNUT STREET
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) JOHN STANTON  
(Name, address and phone of attorney) 562-1221  
33 QUASSACK AVE., N. WINDSOR
- (d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) R4 25 WALNUT 75 FRONT x 150 DEEP  
(Zone) (Address) (H B L) (Lot size)
- (b) What other zones lie within 500 ft.? PI
- (c) Is a pending sale or lease subject to ZBA approval of this application? N/A
- (d) When was property purchased by present owner? JUNE 14, 1978
- (e) Has property been subdivided previously? N/A When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? NO When? \_\_\_\_\_
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? NO If so, when \_\_\_\_\_
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. NO

☐ IV. Use variance: N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_, to allow \_\_\_\_\_

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☐ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-25, Table 12, Column 7

<u>Requirements</u>	<u>Bulk reqs.</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yard			
Reqd. Side Yards	<u>15/30/</u>	<u>/</u>	<u>/</u>
Reqd. Rear Yard			
Reqd. Street Frontage*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Development Coverage*	%	%	%
Floor Area Ratio**			



(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V.

Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-25, Table Bulk Regs., Column 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yard		
Reqd. Side Yards <u>15/30/</u>	<u>/</u>	<u>/</u>
Reqd. Rear Yard		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Development Coverage* %	%	%
Floor Area Ratio**		

\* Residential districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

WE WISH TO CONVERT A TWO CAR GARAGE AS INDICATED ON THE ANNEXED SURVEY SO WE CAN PARK OUR CARS ON THE PROPERTY RATHER THAN ON WALNUT STREET.

SINCE IT IS A SMALL LOT THAT WAS SUBDIVIDED LONG BEFORE THE PRESENT ZONING LAW WAS ADOPTED WE HAVE A SERIOUS PRACTICAL PROBLEM. THE ADJOINING OWNER, MR + MRS GAICO HAVE INFORMED US THEY DO NOT OBJECT. ALSO THE EXISTING BUILDING ON THE PROPERTY IS 7.5' FEET FROM THE PROPERTY LINE



VI.

Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1.	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_

WE WISH TO CONVERT A TWO CAR GARAGE  
AS INDICATED ON THE ANNEXED SURVEY SO  
WE CAN PARK OUR CARS ON THE PROPERTY  
RATHER THAN ON WALNUT STREET.

SINCE IT IS A SMALL LOT THAT WAS SUBDIVIDED  
LONG BEFORE THE PRESENT ZONING LAW WAS  
ADOPTED WE HAVE A SERIOUS PRACTICAL PROBLEM.

THE ADJOINING OWNERS, MR + MRS GRIECO HAVE INFORMED  
US THEY DO NOT OBJECT. ALSO THE EXISTING BUILDING  
ON THE PROPERTY IS 7.5' FEET FROM THE PROPERTY  
LINE



VI.

Sign

Variance: PROPERTY IS 7.5' FEET FROM THE PROPERTY  
LINE

(a) Variance requested from New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1.	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a  
variance, and set forth your reasons for requiring  
extra or oversize signs.

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(c) What is total area in square feet of all signs on premises including  
signs on windows, face of building, and free-standing signs?

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☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

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☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

THE GARAGE LOCATION IS THE ONLY LOCATION  
ON THE SMALL LOT WHERE IT WOULD BE PRACTICAL  
TO BUILD.

ALSO IT WOULD BE SAFER FOR TRAFFIC ON  
WALNUT STREET IF WE DID NOT PARK  
ON THE STREET AS IS NOW NECESSARY.

☐ IX. Attachments required:

- ☒ Copy of letter of referral from Building and Zoning Inspector.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of tax map showing adjacent properties
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in amount of \$ 25 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.

- (b) Describe in detail the use and structures proposed for the special permit.

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☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

THE GARAGE LOCATION IS THE ONLY LOCATION  
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- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in amount of \$ 25 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
- All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- ☐ Other

X. AFFIDAVIT.

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

  
(Applicant)

13 day of ~~APR~~ 1 1975.

day of April 1975.  
*John H. Smith*  
 Notary Public St. Wm. N.Y.  
 Residing in Orange Co.  
 Commission Expires 3-30-82

(a) Public Hearing date \_\_\_\_\_

(b) Variance is

( : Special Permit is

(c) Conditions and safeguards

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF THE BOARD OF DIRECTORS.

COUNTY OF ORANGE )

(Applicant)

13 day of APR 1975.

day of April 1975.  
 John H. [Signature]  
 Mayor, Public St. W.N.Y.  
 residing in Orange Co.  
 Commission Expires 3-30-82

(a) Public Hearing date \_\_\_\_\_

(b) Variance is \_\_\_\_\_

( : Special Permit is \_\_\_\_\_

(c) Conditions and safeguards \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. ....

Date Mar 22, 1979

To G.F. D. CESARE (Kaiser/Pager - 79-19)  
421 CHELSEA CAY APTS  
WAPPINGERS FALLS NY

PLEASE TAKE NOTICE that your application dated Mar 22, 1979

for permit to ERECT GARAGE TO REAR OF DWELLING

at the premises located at WALNUT ST NEW WINDSOR

is returned herewith and disapproved on the following grounds:

INSUFFICIENT SIDE YARD  
15 FOOT YARD REQUIRED

Howard R. Casella  
Building Inspector



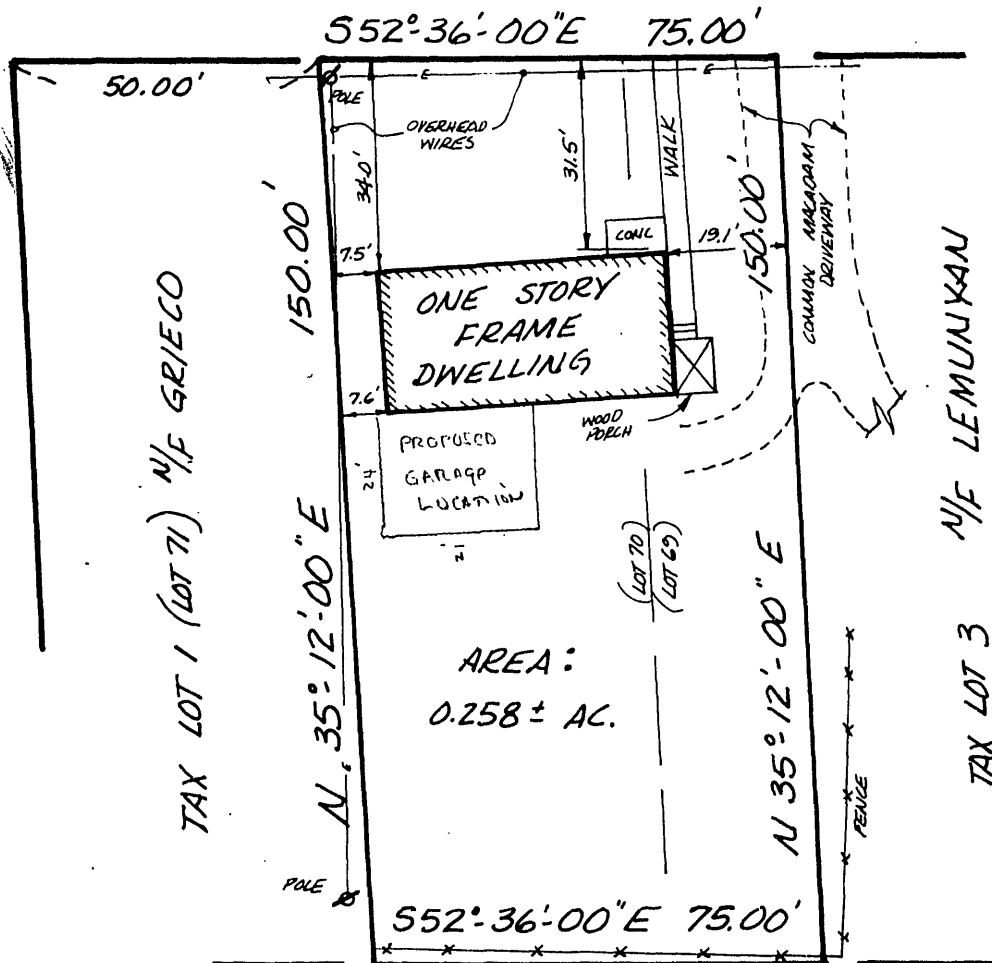
UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.  
COPIES OF THIS SURVEY MAP NOT HAVING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID.  
CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.  
EASEMENTS OR RIGHT-OF-WAYS ON, OR UNDER THE LANDS, AND NOT VISIBLE, ARE NOT SHOWN.

BEING LOT 70 AND THE WESTERLY HALF OF LOT 69 AS SHOWN ON A MAP ENTITLED "WOODLAWN PARK" FILED IN THE ORANGE COUNTY CLERK'S OFFICE OCT. 28, 1941. ALSO REFER TO FILED MAP #1254.

TAX MAP REF. LOT 2, BLK. 2, SECT. 18

WALNUT STREET (50' WIDE)

MAC ARTHUR AVE.



TAX LOT 28 <sup>(LOT 85)</sup><sub>(LOT 84)</sub> N/F JAMES

T.L. 27 N/F JAMES

CERTIFIED ONLY TO:  
JOHN KAISER, NADIA  
PAJER, CHICAGO TITLE  
INSURANCE COMPANY,  
HIGHLAND NATIONAL BANK  
OF NEWBURGH,

TO BE ACCURATE AND CORRECT.

Albert R. Sparaco Jr.  
ALBERT R. SPARACO JR. L.L.#46565

SURVEY PREPARED FOR

JOHN KAISER  
NADIA PAJER

TOWN OF NEW WINDSOR ORANGE CO. N.Y.

A. R. SPARACO JR. P.L.S.  
SURVEYORS & PLANNERS  
SUFFERN & MARLBOROUGH, N.Y.

8 JUNE 1978

SCALE:  
1"=30'  
JOB #  
3195

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....3/22.....19.79  
 Approved.....19.....  
 Disapproved a/c.....3/22.....  
 Permit No. ....

Office of Building Inspector  
 HOWARD COLLETT, Building Inspector  
 Town Hall, 555 Union Avenue  
 New Windsor, N. Y. 12550  
 Telephone 565-8807

Refer —  
 Planning Board.....  
 Highway.....  
 Sewer.....  
 Water.....  
 Zoning Board of Appeals .....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....3/22.....19.79

INSTRUCTIONS

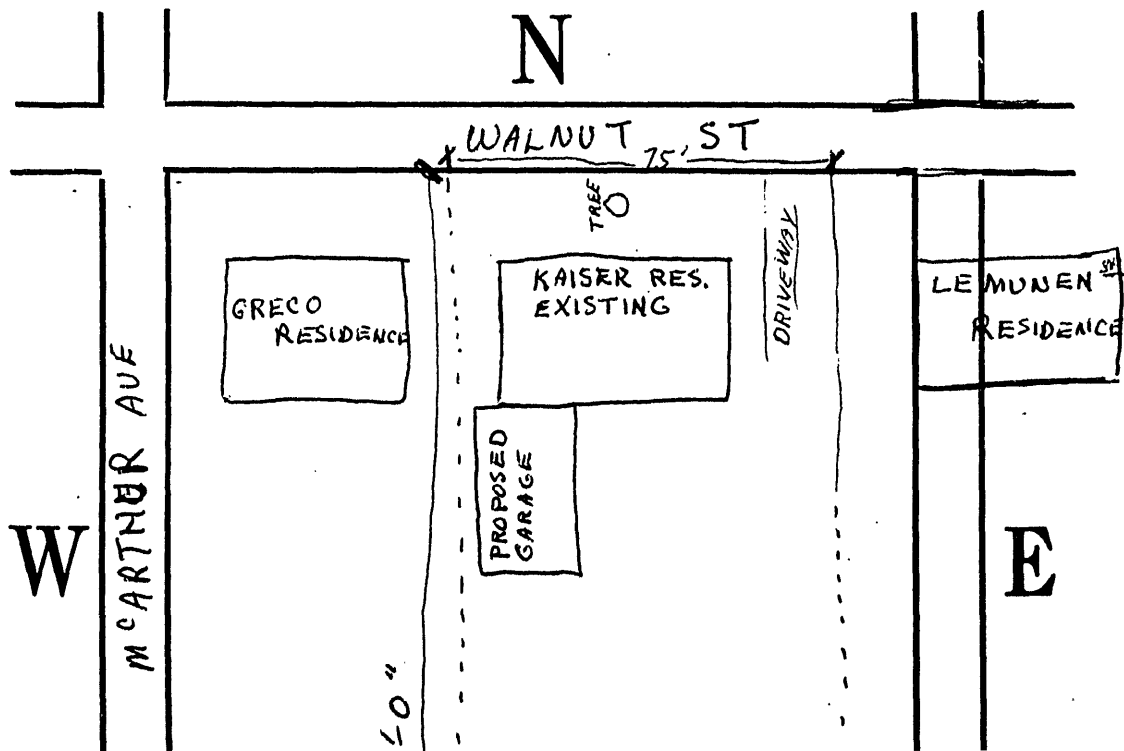
- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

*A. F. Di Gesare* Contractor 121 Chelsea Cay Apts Wapp Falls N.Y.  
 (Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.  
 Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer --  
Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT  
Pursuant to New York State Building Code and Town Ordinances

Date..... 3/27/1929.....

INSTRUCTIONS

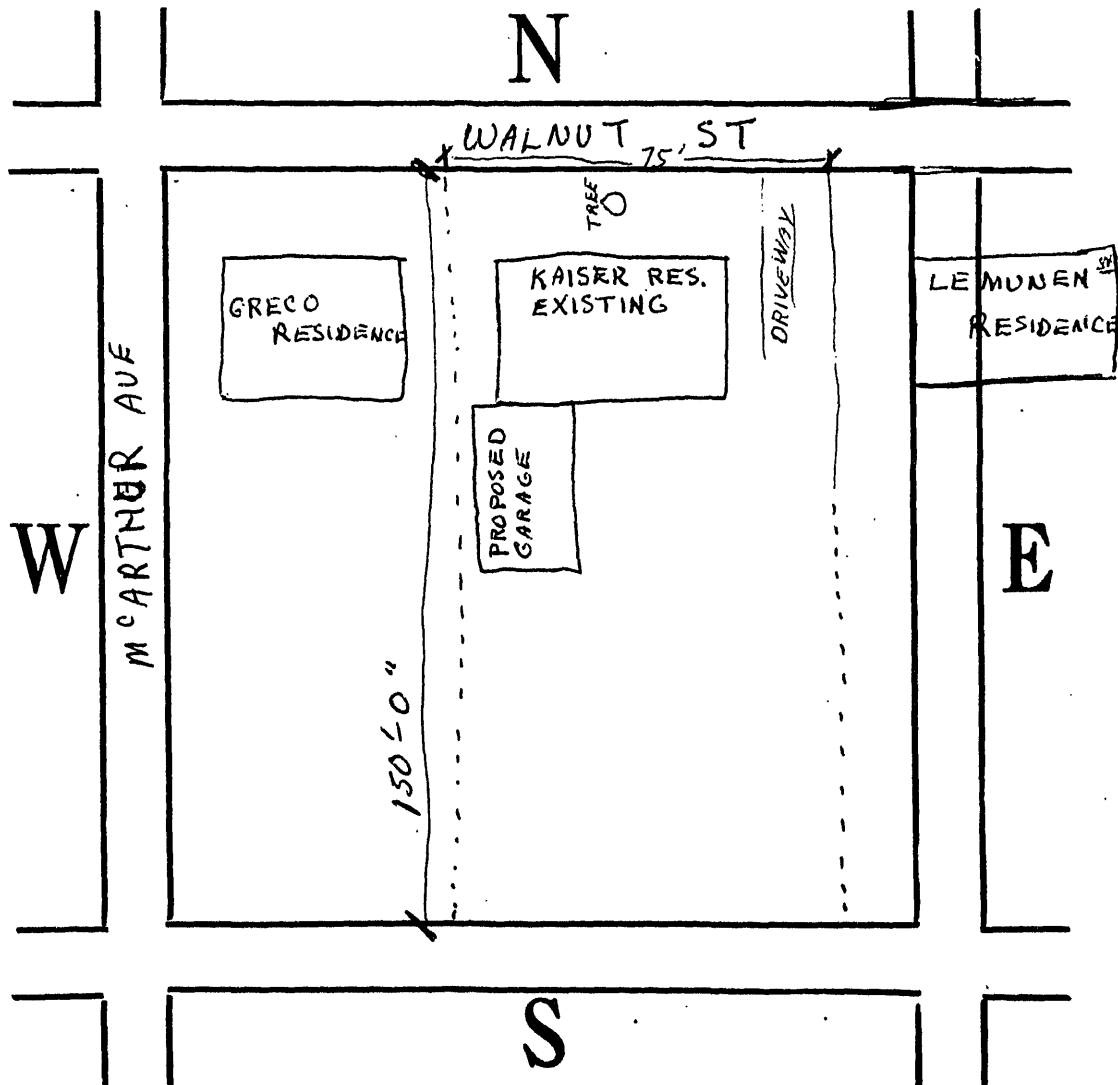
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*F. Di Cesare* Contractor 121 Chelsea Ave Apts Wapp Falls N.Y.  
(Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.  
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Name of Owner of Premises John Kaiser  
Address 25 Walnut St Phone 562 3632  
Name of Architect.....  
Address..... Phone.....  
Name of Contractor G. F. Dilecare  
Address 921 Chelsea Pk Apts Wapptons Phone 851 9881  
State whether applicant is owner, lessee, agent, architect, engineer or builder: Builder  
If applicant is a corporation, signature of duly authorized officer.

G. F. Dilecare Owner  
(Name and title of corporate officer)

1. On what street is property located? On the S side of Walnut St  
(N. S. E. or W.)  
and 100 ft feet from the intersection of Walnut & McArthur AVE
2. Zone or use district in which premises are situated Residential
3. Tax Map description of property: Section..... Block..... Lot X
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:  
a. Existing use and occupancy Residence b. Intended use and occupancy Garage
5. Nature of work (check which applicable): New Building..... Addition X Alteration..... Repair..... Removal.....  
Demolition..... Other.....
6. Size of lot: Front 75' Rear 75' Depth 150' Front Yard..... Rear Yard..... Side Yard.....  
Is this a corner lot? No
7. Dimensions of entire new construction: Front 24' Rear 24' Depth 81.3' Height 12' Number of stories 1
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....  
Number of bedrooms..... Baths..... Toilets.....  
Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....  
If Garage, number of cars 2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....  
.....
10. Estimated cost \$3045.00 Fee \$25  
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

### IMPORTANT

#### REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

#### CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-When excavating is complete and footing forms are in place (before pouring).
- 2-Foundation Inspection - check here for waterproofing and footing drains.
- 3-Inspect gravel base under concrete floors, and underslab Plumbing.
- 4-When framing is completed, and before it is covered from inside, and Plumbing rough-in.

Name of Contractor G. F. DiLesare  
Address 921 Chelsea Bay Apts Wapping Falls Phone 851 7881  
State whether applicant is owner, lessee, agent, architect, engineer or builder: Builder  
If applicant is a corporation, signature of duly authorized officer.

G. F. DiLesare Owner  
(Name and title of corporate officer)

1. On what street is property located? On the S side of Walnut St  
(N. S. E. or W.)  
and 100 ft feet from the intersection of Walnut & McArthur AVE
2. Zone or use district in which premises are situated Residential
3. Tax Map description of property: Section..... Block..... Lot 1
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:  
a. Existing use and occupancy Residence b. Intended use and occupancy Garage
5. Nature of work (check which applicable): New Building..... Addition X Alteration..... Repair..... Removal.....  
Demolition..... Other.....
6. Size of lot: Front 75' Rear 75' Depth 150' Front Yard..... Rear Yard..... Side Yard.....  
Is this a corner lot? No.
7. Dimensions of entire new construction: Front 24' Rear 24' Depth 21.3' Height 12' Number of stories 1
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....  
Number of bedrooms..... Baths..... Toilets.....  
Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....  
If Garage, number of cars 2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....  
.....
10. Estimated cost \$3095.00 Fee \$25  
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

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- 1-When excavating is complete and footing forms are in place (before pouring).
- 2-Foundation Inspection - check here for waterproofing and footing drains.
- 3-Inspect gravel base under concrete floors, and underslab Plumbing.
- 4-When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5-Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.

MAY 21 1979

Building Department  
(CITY, TOWN OR VILLAGE) OF NEW WINDSOR  
(Address and Telephone Number)  
555 UNION AVE County of: ORANGE

**Order to Remedy Violation**

Location WALNUT STREET  
Map No. \_\_\_\_\_ Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Date MAY 19 1979

TO KAISER  
(owner or authorized agent of owner)  
23 WALNUT STREET  
(address of owner or authorized agent of owner)

**PLEASE TAKE NOTICE** there exists a violation of:

The State Building Construction Code \_\_\_\_\_  
Zoning Ordinances \_\_\_\_\_  
Other Applicable Laws, Ordinances or Regulations \_\_\_\_\_

at premises hereinafter described in that BUILDING WITHOUT PERMIT  
(state character of violation)

in violation of 48-28 ZONING ORDINANCE  
(state section or paragraph of applicable law, ordinance or regulation)

**YOU ARE THEREFORE DIRECTED AND ORDERED** to comply with the law and to  
remedy the conditions above mentioned forthwith on or before the 29<sup>th</sup> day of  
MAY 1979

Failure to remedy the conditions aforesaid and to comply with the applicable provisions of law may constitute an offense punishable by fine or imprisonment or both.

Harold R. [Signature]  
Superintendent of Buildings

No. ....

TOWN OF NEW WINDSOR  
ORANGE COUNTY, N. Y.  
OFFICE OF ZONING - BUILDING INSPECTOR

STOP ORDER

All work contemplated to be done under Building Permit No. *No Permit* shall be forthwith  
suspended and all persons shall stop work thereon until this STOP ORDER has been rescinded.

This Order will be rescinded upon the following conditions:

.....*OBTAIN BUILDING PERMIT*.....  
.....

Dated: *MAY 19*....., 19*79*

.....*Harold R. ...*.....  
Building Inspector

STOP ORDER RESCINDED

Dated: ....., 19.....

.....  
Building Inspector

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
FROM: ZONING BOARD OF APPEALS  
SUBJECT: PUBLIC HEARING SCHEDULED FOR THE EVENING  
OF June 11, 1979  
DATE: June 5, 1979

Kindly be advised that there is one (1) public hearing scheduled for the evening of June 11, 1979 before the Zoning Board of Appeals:

8 p.m. - Application for area variance of  
KAISER/PAJER - construction of garage

I have attached hereto a copy of the application together with public hearing notice which was published in The Evening News.

Pat

Attachments

cc: Howard Collett, Bldg./Zoning Inspector



(914) 565-8550

June 27, 1979

John G. Stanton, Esq.  
Stanton & Stanton  
33 Quassaick Avenue  
New Windsor, N.Y. 12550

RE: APPLICATION FOR AREA VARIANCE - KAISER/PAJER  
#79-9

Dear Mr. Stanton:

Kindly be advised that the Zoning Board of Appeals at its June 25, 1979 meeting voted to deny the application for an area variance of KAISER/PAJER. Said public hearing was held on June 11, 1979.

Very truly yours,

PATRICIA DELIO, Secretary

/pd

cc: Howard Collett - Bldg./Zoning Inspector  
Town Planning Board - Attn: Ernest Spignardo, Chairman

INTER-OFFICE CORRESPONDENCE

TO: HOWARD COLLETT, BLDG./ZONING INSPECTOR  
FROM: ZONING BOARD OF APPEALS  
SUBJECT: PUBLIC HEARINGS - June 25, 1979  
DECISIONS: SMITH, NEWBURGH SAVINGS BANK and  
KAISER/PAJER  
DATE: June 27, 1979

Kindly be apprised of the above decisions which were rendered by the ZBA at their meeting of June 25, 1979:

1. Smith, Arthur & Eileen - request for use variance - Denied.
2. Newburgh Savings Bank - request for area variance - Granted.
3. Kaiser/Pajer - request for area variance - Denied.

Please refer to your ZBA minutes, which are being typed, for further details of the above.

Pat

/pd

cc: Planning Board

INTER-OFFICE CORRESPONDENCE

TO: ZBA MEMBERS  
FROM: SECRETARY - ZBA  
SUBJECT: KAISER/PAJER APPLICATION  
DATE: June 11, 1979

Regarding the above application before the Zoning Board of Appeals which matter will be heard this evening, please be apprised of the situation as it stands to date:

March 22, 1979 - Disapproval of Building Permit was issued to applicant for construction of garage. Referred to ZBA. Prelim. meeting scheduled for 4/23.

May 19, 1979 - Upon complaint, Mr. Collett visited applicants' premises and found that footings were being poured and blocks were being layed on the premises. Mr. Collett issued stop order to applicants.

May 22, 1979 - Mr. Collett again visited the premises of applicants and found that further construction had been completed, i.e. foundation was brought to grade level.

*Pat* Pat - (per Howard Collett - 6/11/79)

# STANTON AND STANTON

ATTORNEYS AT LAW

P. O. Box 4301

NEW WINDSOR, NEW YORK 12550

MAY 14 1979

Re:

May 10 19 79

May 15, 19 79

Ms. Pat Razansky  
Town Hall  
555 Union Avenue  
New Windsor, New York 12550

John:

The attached notice is fine with one addition which I took the liberty of adding.

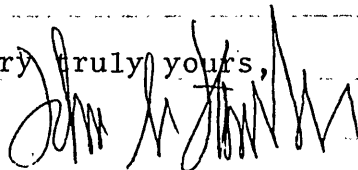
I will retain a copy for my files and send one to The Evening News for publication 10 days prior to public hearing on 6/11.

You may use the attached for your certified mailing. No letter is necessary.

By the way, the name is Delio!

If I can be of any further help, please do not hesitate to call.

Very truly yours,

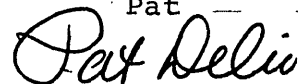


JOHN G. STANTON

JGS/nr  
enc.

By:

Pat



New Windsor Zoning Board of Appeals

Signed By:

PUBLIC NOTICE OF HEARING BEFORE

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the  
TOWN OF NEW WINDSOR, New York will hold a Public Hearing  
pursuant to Section 48-33A of the Zoning Ordinance on the  
following proposition:

Appeal No. 9

Request of JOHN KAISER and NADIA PAJER

for a VARIANCE ~~SPECIAL USE PERMIT~~ of  
the regulations of the Zoning Ordinance, to permit  
insufficient sideyard

being a VARIANCE ~~SPECIAL USE PERMIT~~ of

Section 48-12 - Table of Bulk Regulations - Col. 7

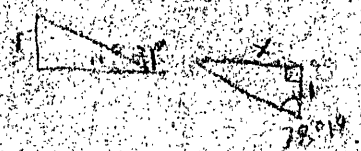
for property situated as follows:

25 Walnut Street, Town of New Windsor, N. Y.

SAID HEARING will take place on the 11th day of June, 19 79  
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.  
beginning at 8pm o'clock P. M.

MARK STORTECKY  
Chairman

KAISER-GARD  
Joe Petrone Supervisor



$$C = \frac{1}{20250}$$

